

1 James A. McDevitt
 2 United States Attorney
 3 Eastern District of Washington
 Russell E. Smoot
 Assistant United States Attorney
 Post Office Box 1494
 4 Spokane, WA 99210-1494
 Telephone: (509) 353-2767

FILED IN THE
 U.S. DISTRICT COURT
 EASTERN DISTRICT OF WASHINGTON

FEB 11 2009

JAMES R. LARSEN, CLERK
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5 UNITED STATES DISTRICT COURT
 6 EASTERN DISTRICT OF WASHINGTON

7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 vs.

10 LUYEN V. DOAN
 (a/k/a "John Doan" and "Tiger"),
 11 JONATHAN TRI DUC NGUYEN,
 TRONG V. NGUYEN (a/k/a "Tony"),
 12 KHUONG NGUYEN TRAN,
 SOMXAY PHIMMASAHN,
 DAVID P. DANG,
 14 JAMES E. MULVANEY,
 TRAVIS W. LYMAN,
 15 JASON C. WEEKLY,
 RANDY M. LEONG,
 ANDREW P. YANCEY,
 17 THUC C. LE (a/k/a "T"),
 HUNG QUOC TRINH (a/k/a "Jimmy"),
 18 KHUONG VAN HUYNH (a/k/a "Brian"),
 TUAN H. CHAU (a/k/a "Trung Nguyen"),
 19 SAVOUN CHEA (a/k/a "Auntie Sau"),
 HES YUN,
 TRI THANH NGUYEN;
 21 "BILLY" LNU;
 PHUC HUU NGUYEN;
 BRANDON J. HIGGINS (a/k/a "Jimmy"),
 23 JACOB D. SUBLIE,
 NICOLAS SCOTT CASSELL
 (a/k/a "Scott N. Cassell"),
 BENJAMIN J. TENNISON,
 KURTIS L. GILLESPIE (a/k/a "Dave"),
 26 AMANDA COOK,

27 Defendants.

CR-09-0015-EFS

INDICTMENT

Vio: 21 U.S.C. § 846
 Conspiracy to Distribute
 1000 Kilograms or More
 of Marijuana
 (Counts 1 & 2)

21 U.S.C. § 853
 Criminal Forfeiture
 (Count 3)

The Grand Jury Charges:

COUNT ONE

4 That beginning on a date unknown, but by no later than the year 2001, until
5 on or about February 10, 2009, in the Eastern District of Washington and
6 elsewhere, LUYEN V. DOAN (a/k/a "John Doan" and "Tiger"), JONATHAN TRI
7 DUC NGUYEN, TRONG V. NGUYEN (a/k/a "Tony"), KHUONG NGUYEN
8 TRAN, SOMXAY PHIMMASAHL, DAVID P. DANG, JAMES E.
9 MULVANEY, TRAVIS W. LYMAN, JASON C. WEEKLY, RANDY M.
10 LEONG, ANDREW P. YANCEY, THUC C. LE (a/k/a "T"), and others not known
11 to the Grand Jury, did knowingly and intentionally combine, conspire, confederate
12 and agree together with each other and with other persons, both known and
13 unknown to the Grand Jury, to commit the following offense against the United
14 States, to wit: conspiracy to distribute 1000 kilograms or more of Marijuana, a
15 Schedule I controlled substance, in violation of 21 U.S.C. § 841(a)(1),
16 (b)(1)(A)(vii), all in violation of 21 U.S.C. § 846.

COUNT TWO

18 That beginning on a date unknown, but by no later than the year 2005, until
19 on or about February 10, 2009, in the Eastern District of Washington and
20 elsewhere, THUC C. LE (a/k/a "T"), HUNG QUOC TRINH (a/k/a "Jimmy"),
21 KHUONG VAN HUYNH (a/k/a "Brian"), TUAN H. CHAU (a/k/a "Trung
22 Nguyen"), SAVOUN CHEA (a/k/a "Auntie Sau"), HES YUN, TRI THANH
23 NGUYEN, "BILLY" LNU, PHUC HUU NGUYEN, BRANDON J. HIGGINS
24 (a/k/a "Jimmy"), JACOB D. SUBLIE, NICOLAS SCOTT CASSELL (a/k/a "Scott
25 N. Cassell"), BENJAMIN J. TENNISON, KURTIS L. GILLESPIE (a/k/a "Dave"),
26 AMANDA COOK, and others not known to the Grand Jury, did knowingly and
27 intentionally combine, conspire, confederate and agree together with each other
28 and with other persons, both known and unknown to the Grand Jury, to commit

1 the following offense against the United States, to wit: conspiracy to distribute
2 1000 kilograms or more of Marijuana, a Schedule I controlled substance, in
3 violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(vii), all in violation of 21 U.S.C. §
4 846.

5 COUNT THREE

6 Upon conviction of the controlled substance offense alleged in Count One
7 of this Indictment, Defendants shall forfeit the assets as outlined below, to the
8 United States pursuant to 21 U.S.C. § 853, as property constituting or derived
9 from proceeds obtained, directly or indirectly, as a result of the said violation[s];
10 and/or as property used, or intended to be used, in any manner or part, to commit,
11 or to facilitate the commission of the said violation[s], including but not limited to
12 the following:

13 Defendant LUYEN V. DOAN (a/k/a “John Doan” and “Tiger”), shall forfeit
14 the following real properties further described as follows:

15
16 3525 North Division Street, Spokane, Washington,

17 Lots 1, 2 and 3 and the North 4 feet of Lot 4 in Block 4 of Monterey
18 Park, as per Plat thereof recorded in Volume “E” of Plats, Page 22;

19 Except Portion conveyed to State of Washington for State Route 2, as
described in Warranty Deed recorded under Auditor’s File No.
9407180016;

20 Situate in the City of Spokane, County of Spokane, State of
Washington.

21 Together with all appurtenances, fixtures, attachments thereto and
thereupon.

22 Subject to covenants, conditions, restrictions, reservations, easements
and agreements of record, if any.

23
24 331 Southshore Diamond Lake Road, Newport/Diamond Lake, Washington:

25 Lot 16 of Tarbet’s Beach, according to the recorded Plat thereof;
26 Section 1, Township 30 North, Range 44 E.W.M., Pend Oreille
27 County, Washington.

28 Together with all appurtenances, fixtures, attachments thereto and

1 thereupon.

2 Subject to covenants, conditions, restrictions, reservations, easements
3 and agreements of record, if any.

4 Tax Parcel No. 443001-63-9015.

5 Parcel Number 48N04W084800, Vacant Land in Kootenai County, Idaho:

6 NW-SE lying N of Road, Section 08, Township 48N, Range 04W.

7 Together with all appurtenances, fixtures, attachments thereto and
8 thereupon.

9 Subject to covenants, conditions, restrictions, reservations, easements
10 and agreements of record, if any.

11 Parcel Number 46292.9077, Vacant Land in Spokane County, Washington:

12 That part of the Southwest Quarter of the Northwest Quarter of
13 Section 29, Township 26 North, Range 44 East, W.M., described as
14 follows:

15 Beginning at the Northwest corner of said Southwest Quarter of the
16 Northwest Quarter of Section 29; Thence North 89°57' East, along the
17 North line of said Southwest Quarter of the Northwest Quarter of
18 Section 29, 995.8 feet; Thence South 3°06' East, 512.6 feet; Thence
South 89°51' West, 1020.8 feet, more or less, to the West line of said
Section 29; Thence North 0°20' West, along the West line of said
Section 29, 513.6 feet to the Point of Beginning.

EXCEPT Right of Way for Bruce Road;

AND EXCEPT for the following described parcel:

Beginning at the Northwest corner of said Southwest Quarter of the
Northwest Quarter of Section 29; Thence North 89°57' East, along
the North line of said Southwest Quarter of the Northwest Quarter of
said Section 29, 995.8 feet; Thence South 3°06' East, 256.3 feet to the
True Point of Beginning; Thence South 3°06' East, 256.3 feet;
Thence South 89°51' West, 1,020.8 feet, more or less to the West line of
said Section 29; Thence North 0°20' West, along the West line of
said Section 29 to Point of Intersection of said West line with the East
boundary line of Bruce Road; Thence generally Northeasterly
measured along the East boundary line of said Bruce Road, a distance
of 30 feet to a point; Thence on a line drawn at a 45° angle from the
West line of said Section 29 and running through the above-described
point on the East boundary of Bruce Road, Southeasterly to a point
where said line intersects with a straight line drawn Westerly from the
True Point of Beginning of this description; Thence Easterly along
said straight line to the True Point of Beginning.

Situate in the County of Spokane, State of Washington.

1 Together with all appurtenances, fixtures, attachments thereto and
2 thereupon.

3 Subject to covenants, conditions, restrictions, reservations, easements
4 and agreements of record, if any.

5 Defendant JONATHAN TRI DUC NGUYEN, shall forfeit the following
6 real property further described as follows:

7 10664 Rainier Avenue South, Seattle, Washington:

8 Real property in the County of King, State of Washington, described
9 as follows

10 A strip of land 40 feet in width lying between the Northerly right of
way of Pacific Highway and the inner harbor line of Lake
11 Washington, being adjacent parallel and Westerly of a line described
as follows

12 BEGINNING at a point on the East-West center line of Section 1,
13 Township 23 North, Range 4 East, W M, being the South boundary of
the City of Seattle, 304.38 feet South $86^{\circ}54'24''$ East of the center of
14 Section 1,

15 Thence South $51^{\circ}14'45''$ East a distance of 1324.28 feet,

16 Thence on the arc of a curve to the right having a radius of 5,772.15
feet, a distance of 35.96 feet to the POINT OF BEGINNING of said
17 line,

18 Thence North $38^{\circ}45'15''$ East of distance of 200 feet, more or less, to
the inner harbor line of Lake Washington,

19 EXCEPT a strip of land formerly used by Seattle, Renton and
Southern railroad right of way,

20 TOGETHER WITH that certain property as conveyed by Recording
No. 8906240738

21 (Being known as Lot 15, Block 2, EBAWOOD ADDITION,
according to the unrecorded plat thereof)

22 Tax Parcel Number 2220400160

23 Together with all appurtenances, fixtures, attachments thereto and
thereupon.

24 Subject to covenants, conditions, restrictions, reservations, easements
and agreements of record, if any.

25 Defendant JAMES E. MULVANEY, shall forfeit the following real

1 property further described as follows:

2 4138 South Tricia Court, Spokane, Washington:

3 Lot 6, Block 1, Whispering Pines, as per Plat recorded in Volume 17
4 of Plats, Page 68;

5 Situate in the City of Spokane, County of Spokane, State of
Washington.

6 Together with all appurtenances, fixtures, attachments thereto and
7 thereupon.

8 Subject to covenants, conditions, restrictions, reservations, easements
9 and agreements of record, if any.

10 Parcel No. 35344.1906.

11 Defendant RANDY M. LEONG, shall forfeit the following real property
further described as follows:

12 17914 East Montgomery Avenue, Greenacres, Washington

14 Lot "B", Short Plat No. SP-896-93 as per Plat recorded in Volume 10
of Plats, Page 38, records of Spokane County;

15 Situate in the County of Spokane, State of Washington.

16 Together with all appurtenances, fixtures, attachments thereto and
thereupon.

18 Subject to covenants, conditions, restrictions, reservations, easements
19 and agreements of record, if any.

20 Defendant THUC LE (a/k/a "T"), shall forfeit the following real properties
21 further described as follows:

22 3219 East Courtland Avenue, Spokane, Washington

23 Lot 9, Block 25, Minnehaha Addition, as per Plat recorded in Volume
24 "A: of Plats, Page 94, records of Spokane County;

25 Situate in the City of Spokane, County of Spokane, State of
Washington

26 Together with all appurtenances, fixtures, attachments thereto and
thereupon.

28 Subject to covenants, conditions, restrictions, reservations, easements
and agreements of record, if any.

1 3419 East Fairview Avenue, Spokane, Washington

2 Lot 11, Block 2, Peter Sapro's Riverside Addition, as per Plat
3 recorded in Volume "A" of Plats, Page 206, records of Spokane
County.

4 Situate in the City of Spokane, County of Spokane, State of
Washington.

5 Together with all appurtenances, fixtures, attachments thereto and
6 thereupon.

7 Subject to covenants, conditions, restrictions, reservations, easements
8 and agreements of record, if any.

9 1717 East Cataldo Avenue, Spokane, Washington

10 Lot 9, Block 50, Subdivision of School Section 16, Township 25
11 North, Range 43 East of the Willamette Meridian, as per Plat
recorded in Volume "D" of Plats, Page 100, Records of Spokane
County;

12 Situate in the City of Spokane, County of Spokane, State of
Washington.

13 Together with all appurtenances, fixtures, attachments thereto and
14 thereupon.

15 Subject to covenants, conditions, restrictions, reservations, easements
16 and agreements of record, if any.

17 If any of the above-described forfeitable property, as a result of any act or
omission of the defendant(s):

- 18 (a). cannot be located upon the exercise of due diligence;
- 19 (b). has been transferred or sold to, or deposited with, a third party;
- 20 (c). has been placed beyond the jurisdiction of the court;
- 21 (d). has been substantially diminished in value; or
- 22 (e). has been commingled with other property which cannot be
23 divided without difficulty;

24 it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek

1 forfeiture of any other property of said Defendant(s) up to the value of the
2 forfeitable property described above.

3
4 DATED this 11 day of February, 2009.
5

6
7 A TRUE BILL
8

9 
James A. McDevitt
United States Attorney

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11 Russell E. Smoot
Assistant United States Attorney
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